



Local Rule 7016-1 Pretrial Procedures (2013)

(a) Initial Pretrial Conference. After the initial appearance of a defendant, the clerk must notify the parties of the date, time, and place of the initial pretrial conference under [Fed. R. Bankr. P. 7016](#) [1].

(b) Parties' Planning Conference. Under Fed. R. Civ. P. 26(f) and [Fed. R. Bankr. P. 7026](#) [2], the parties must confer as soon as practicable and in any event at least 21 days prior to the initial pretrial conference, and must prepare a Report of Parties' Planning Meeting which conforms substantially with [Form 35](#) [3], a copy of which is attached as [Local Bankruptcy Form 7016-1](#) [4] to these Local Rules. No later than 14 days after the parties' planning conference, the parties are jointly responsible for filing Form 35 with the court.

(c) Scheduling Order. At the conclusion of the initial pretrial conference, the court will enter a scheduling order in accordance with [Fed. R. Bankr. P. 7016](#) [1]. Included in the scheduling order will be modifications of discovery requirements as the court deems appropriate. Unless otherwise ordered by the court, the requirements of the scheduling order, including deadlines, continue in force until disposition of the proceeding.

(d) Expedited Adversary Proceeding. At the initial pretrial conference, if the amount of the controversy is \$15,000 or less, or by consent of the parties, the court may order that the trial be scheduled on an expedited basis. The scheduling order will govern the procedure to be followed before and during an expedited trial.

(e) Supplemental Pretrial Conferences. At the request of a party or on the court's own motion, the court may schedule a supplemental pretrial conference to expedite disposition of the adversary proceeding particularly if it involves complex facts or unusual delay.

(f) Attorneys' Conference. At a time to be fixed during the initial pretrial conference, or, if no time is fixed, at least 14 days prior to the final pretrial conference, the attorneys for the parties must hold an attorneys' conference to discuss settlement, a proposed pretrial order, stipulated facts, exhibit list, witness list, and other matters that will aid in an expeditious and productive final pretrial conference and the preparation of an accurate, complete, and definitive pretrial order.

(g) Final Pretrial Conference. The court may schedule a final pretrial conference. The trial attorney must attend the final pretrial conference. Preparation for the final pretrial conference should be in accordance with [Fed. R. Bankr. P. 7016](#). [1]

(h) Pretrial Order. At the time ordered by the court, the plaintiff must submit to the court for execution a proposed pretrial order approved by all attorneys. The form of the pretrial order should generally conform to the approved form attached as [Local Bankruptcy Form 7016-1-A](#) [3] to these Local Rules. If the attorneys are unable to agree on a proposed pretrial order, each attorney must state his or her contentions as to the portion of the pretrial order upon which no agreement has been reached. The court will then determine a final form for the pretrial order and advise the parties. Thereafter, the order will control the course of the trial and may not be amended except by consent of the parties and the court or by order of the court to prevent manifest injustice. The pleadings will be deemed merged into the order. The court may dismiss an adversary proceeding if the pretrial order is not filed within the time fixed by the scheduling order. The pretrial order shall not excuse any party or that party's attorney from any of the requirements set forth in any scheduling order.



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Links

[1] https://www.law.cornell.edu/rules/frbp/rule_7016

[2] https://www.law.cornell.edu/rules/frbp/rule_7026

[3] <https://www.utb.uscourts.gov/forms/report-parties-planning-meeting-template>

[4] <https://www.utb.uscourts.gov/>